

REMARKS/ARGUMENTS

This amendment responds to the Office Action dated March 5, 2008, in which the Examiner rejected claims 13-15 and 17-19 under 35 U.S.C. § 102(e) and rejected claims 16 and 20-24 under 35 U.S.C. § 103.

As indicated above, claims 13 and 19 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability. Claims 16 and 22 have been amended in order to correspond to the amendments made to claims 13 and 19. Claims 17 and 23 have been amended for stylistic reasons. The amendments to claims 16-17 and 22-23 are unrelated to a statutory requirement for patentability and do not narrow the literal scope of the claims.

Claim 13 claims a recording/reproducing apparatus and claim 19 claims a recording/reproducing method. The apparatus and method record video or audio into a recording medium and reproduce the video or audio from the recording medium. The method and apparatus comprise recording video or audio signals and identifying signals, indicating non-user generated content of the audio or video signals, into a recording medium. A title list of videos or audios recorded in the recording medium is generated using the identifying signals. One or more videos or audios in the list is reproduced. Upon user selection of an introduction playback mode, part of each video or audio in the title is automatically sequentially reproduced.

By (a) generating a title list using identifying signals indicating non-user generated content and (b) automatically sequentially reproducing part of each video or audio in the title list upon user selection of an introduction playback mode, as claimed in claims 13 and 19, the claimed invention provides a recording/reproducing apparatus or method which enables a user to

easily operate a device using a display. The prior art does not show, teach or suggest the invention as claimed in claims 13 and 19.

Claims 13-15 and 17-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Tsumagari, et al.* (U.S. Patent No. 6,480,669).

Tsumagari, et al. appears to disclose a user can select a desired program from a display and by pressing a playback button, playback of the program is started (Col. 21, lines 3-7). Additionally, a user can specify an entry point in each program and text can be stored for that entry point. The user can decompose recorded programs into arbitrary parts and enter the playback order of the decomposed parts in playlists #1 and #2 and set entry points of the individual parts (Col. 21, lines 8-22).

Thus, *Tsumagari, et al.* merely discloses either (a) playback of a single program (Col. 21, lines 3-7), or (b) playback of a user edited playlist (Col. 21, lines 8-22). Nothing in *Tsumagari, et al.* shows, teaches or suggests automatically sequentially reproducing part of each video or audio in a title list, generated by a list generating means using identifying signals indicating non-user generated content of video or audio signals, upon user selection of an introduction playback mode as claimed in claims 13 and 19. In other words, in the claimed invention, part of each video or audio is automatically sequentially reproduced from a title list generated from non-user generated content. However, in *Tsumagari, et al.*, either a single program is reproduced or a user generated playlist is reproduced. In other words, either a single program is reproduced in *Tsumagari, et al.* based upon a list from a display (Col. 21, lines 3-7) or a user edited playlist composing different parts of programs is reproduced (Col. 21, lines 8-21). Thus, the only way for playlist #1, etc to be reproduced in *Tsumagari, et al.* is by a user manually creating the

playlist, whereas in the claimed invention the title list is generated based upon identifying signals indicating non-user generated content signals.

Since nothing in *Tsumagari, et al.* shows, teaches or suggests automatically sequentially reproducing part of each video or audio in a title list upon user selection of an introduction playback mode, where the title list is generated using identifying signals indicating non-user generated content of video or audio signals, as claimed in claims 13 and 19, Applicants respectfully request the Examiner withdraws the rejection to claims 13 and 19 under 35 U.S.C. § 102(e).

Claims 14-15 and 17-18 recite additional features. Applicants respectfully submit that claims 14-15 and 17-18 would not have been anticipated by *Tsumagari, et al.* within the meaning of 35 U.S.C. § 102(e) at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 14-15 and 17-18 under 35 U.S.C. § 102(e).

Claims 16 and 20-24 were rejected under 35 U.S.C. § 103 as being unpatentable over *Tsumagari, et al.*

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Tsumagari, et al.* shows, teaches or suggests the primary features as claimed in claims 13 and 19, Applicants respectfully submit that claims 16 and 20-24 would not have been obvious over *Tsumagari, et al.* at least for the reasons as set forth

above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 16 and 20-24 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

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